

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/ Respondent,

v.

No. 1:13-cr-02520-WJ-KRS

JOSE FERNANDO VALLECILLO-RODRIGUEZ

Defendant/ Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND  
RECOMMENDED DISPOSITION**

This matter is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (PFRD), filed March 7, 2018. (Doc. 75). The parties were notified that objections were due on or before April 23, 2018, pursuant to an extension, and that if no objections were filed, no appellate review would be allowed. Neither party has filed objections to the PFRD and the time to do so has now passed.

IT IS THEREFORE ORDERED that:

- 1) the PFRD (Doc. 75) is adopted as an order of the Court;
- 2) the Motion Under 28 U.S.C. § 2255 (Doc. 67) is granted;
- 3) the Government's motion to dismiss Defendant's motion (Doc. 69) is denied;
- 4) Defendant's motion for an extension of time (Doc. 70) is granted; and
- 5) the case will be set for resentencing in a separate order.

  
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**CHIEF UNITED STATES DISTRICT JUDGE**